

E-FILED: November 15, 2012

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LOAY S. NASER,

No. C10-04475 EJD (HRL)

Plaintiff,

DISCOVERY ORDER

v.

METROPOLITAN LIFE INSURANCE
COMPANY, ET AL.,Defendants.

In this employment suit plaintiff Loay S. Naser (“Naser”) seeks relief against defendants Metropolitan Life Insurance Company, MetLife Enterprise General Insurance Agency, Inc., and MetLife Securities (collectively “MetLife”) for an array of employment claims. Plaintiff has submitted a series of letters requesting an extension on the deadline for filing a motion to compel over its 4th Request for Production. Plaintiff seeks production of emails from Plaintiff’s computer during his employment.

Plaintiff first asked the Court to extend the filing deadline from November 6, 2012 to one week after receipt of the emails. Defendants did not object to this initial request for an extension. According to Plaintiff’s first letter (Dkt. 65), Defendants had proposed that they would test search terms to narrow the production by November 9 (Dkt. 67), and that November 16 would be an appropriate filing deadline. The Court extended the deadline for filing a Discovery Dispute Joint Report (“DDJR”) to November 16 on the basis that Defendants were working on production and that the parties felt that any submission would have been premature if filed by the initial deadline.

1 According to Plaintiff's most recent letter, submitted at 8:40 p.m. on November 14, he has
2 yet to receive any responsive emails (Dkt. 67). Plaintiff asks the Court for another extension to file
3 a motion to compel, and for an extension on the deadline set for filing motions for summary
4 judgment, which is November 23, 2012.

5 As a threshold matter, the parties are reminded that the Court does not entertain formal
6 noticed discovery motions, like a motion to compel. See this Court's "Standing Order re: Civil
7 Discovery Disputes."¹ The Court is also not in a position to extend deadlines set by the District
8 Court Judge in this Case, such as the deadline for filing motions for summary judgment. The Court
9 does recognize, however, that a discovery dispute has arisen. The Court does not see a reason for
10 extending the deadline beyond November 16 for submitting a DDJR on this dispute, however. The
11 parties may submit a DDJR on the subject of Plaintiff's 4th Request for Production, no later than
12 November 16, 2012.

13 **IT IS SO ORDERED.**

14 Dated: November 15, 2012

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17 HOWARD R. LLOYD
18 UNITED STATES MAGISTRATE JUDGE
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28 ¹ The parties may obtain copies of all of Judge Lloyd's standing orders from the clerk of the court,
or from Judge Lloyd's page on the court's website (www.cand.uscourts.gov).

C10-04475 EJD (HRL) Order will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.